

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

CHARLES A. FILHIOL,

Plaintiff,

vs.

TODD BAHENSKY, Director of Hall  
County Department of Corrections;  
AARON GRAY, Sergeant; TROY  
TAYLOR, Classifications Officer;  
JASON CONLEY, Classifications  
Sergeant; TRAVIS MILEM, EDDY  
CHAMPION, SARAH HOOD,  
(Blodgett); DARLA SPARR, Sergeant;  
BARBARA LURZ, TAMMY BADER,  
DESTINEE CHAPPA, LACY  
BROEKER, NICHOLE LOVE,  
ANGELA MACIEJEWSKI, and  
ANGELA BARCENAS,

Defendants.

**8:16CV460**

**MEMORANDUM  
AND ORDER**

On October 25, 2017, the court ordered Plaintiff to update his address with the court within 30 days or face dismissal of this action. ([Filing No. 74](#).) To date, Plaintiff has not updated his address or taken any other action in this matter.

IT IS THEREFORE ORDERED that: This matter is dismissed without prejudice because Plaintiff failed to prosecute it diligently and failed to comply with this court's orders.<sup>1</sup> The court will enter judgment by a separate document.

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<sup>1</sup> In light of the court's ruling, the pending motion for summary judgment ([Filing No. 60](#)) filed by Defendants Aaron Gray, Troy Taylor, Jason Conley, Travis Milem, Eddy Champion, Sarah Hood, Darla Sparr, and Todd Bahensky, in their official and individual capacities, is denied without prejudice as moot.

Dated this 5th day of December, 2017.

BY THE COURT:

s/ *Richard G. Kopf*  
Senior United States District Judge